

1 have in life, and between my -- you know, my
2 friends or parents and -- talked to me about what
3 I used to do, or I have a bedroom that kind of
4 tells all my history in life, you know, of
5 pictures, so I start to tell myself what I had.
6 And I mean even the police departments loved what
7 I was able to do too, so --

8 Q. You've lived at the house that you live
9 in now on Ginder Road since you were in high
10 school?

11 A. Well, I moved away from it for a while.
12 When I bought it from mom and dad's, I moved back.

13 Q. But you're real familiar with that
14 neighborhood?

15 A. Very, yes.

16 Q. Have you done any motorcycle riding
17 since your accident?

18 A. Motorcycle riding?

19 Q. Like have you driven your FLT anywhere?

20 A. No.

21 Q. Have you had added any parts and
22 accessories to it since your accident?

23 A. I have.

24 Q. The rear taillights --

1 A. (Showing tattoo) I did that because
2 this is off of the Carroll fireman because when
3 they found me, they had this little piece I used
4 -- they found me. I was almost passed away with
5 the flames coming off. And now I wear the broken
6 Harley because I bought a lot of that to wear. I
7 know Harley doesn't like us to have them. They
8 don't sell them anymore. I had to go to the
9 internet to buy my broken feather to do my jackets
10 and hats and shirts.

11 And I keep this all together because
12 this was the Carroll firemen, and they knew how
13 hurt I was, and that I came out of all this, and I
14 can now wear my Harley broken feather. And that
15 doesn't bother me to do because I've always been
16 somebody who loved Harley Davidson for a lot of
17 the years. And I don't just put that on me for
18 the heck of it. And I know they don't like me to
19 have it.

20 Q. It's all right.

21 A. Because that's all been said even at
22 the Harley Davidson dealer, they don't won't to
23 sell these broken feathers.

24 Q. That tattoo that you've got of the

1 broken feathers, is that a pattern that you go to
2 a tattoo --

3 A. I showed him mine and told him that I
4 wanted all this added, because all I had was this
5 little -- and since it was dark like my old one, I
6 had him put the Carroll fireman and everything to
7 it.

8 Q. Jeff, do you want to take a break?

9 A. No. I'm all right.

10 Q. All right. What other than the lens
11 covers for the rear taillights have you added to
12 the FLT?

13 A. I just did the taillights and the
14 headlights because Harley sells that. I mean, you
15 can buy that, or somebody did. I can't remember
16 who it is.

17 Q. Right.

18 A. I bought it, and then I bought for my
19 back -- because I have a hundredth anniversary
20 seat where I have my back seat and the chrome on
21 the back -- I got a piece on that that has the
22 piece on it too. That's just so you can carry
23 stuff in it.

24 Q. Where did you buy the -- what

1 dealership did you buy the FLT from?

2 A. In Plain City, but I can't tell you the
3 name of it right now.

4 Q. In Plain City, Ohio?

5 A. Yes. I think it's maybe CNA
6 Harley-Davidson.

7 Q. I can figure it out. And did you have
8 them do the service on it or somebody else?

9 A. Service when?

10 Q. Like thousand mile or --

11 A. I can't remember what I did with that.
12 It was used when I bought it.

13 Q. Oh, okay.

14 A. It had like four or six hundred miles
15 on it when I bought it.

16 Q. Do you know how many miles it has on it
17 now?

18 A. Well, it has like 4,400.

19 Q. And you bought it from a dealer as
20 opposed to an individuals?

21 A. Yeah. I bought it off a Harley dealer.
22 That's the only place I could buy a hundredth
23 anniversary bike would be from a Harley dealer.

24 Q. Can you remember having any problems

1 with how it ran for you prior to your accident?

2 A. With how it ran?

3 Q. Yeah.

4 A. That wasn't the problem I had with it.
5 I had different problems.

6 Q. What problems do you remember having
7 with that bike?

8 A. The problem I had with that bike -- and
9 I do know the bike well because I've had Harleys
10 for a lot of years, and I bought it even knowing
11 this could maybe be a problem. I didn't know. I
12 know that it's a very heavy bike. It's over 700
13 pounds. I've backed it out of my garage and laid
14 it on the right side before. And it will happen
15 -- and it's happened to other people. You have to
16 be careful with it. That bike -- and police can
17 tell you -- I mean, anybody can tell you that's
18 ridden these FLHs and FLT's, they don't always
19 stand perfect in the middle like you jumping on a
20 Sportster or something. That was the only thing I
21 never really liked because I could back it out of
22 the garage and just lay it on -- just drop it on
23 the right. That was the weird thing of the bike.

24 Q. Other than -- and I know exactly what

1 you're talking about --

2 A. And these are things that have even
3 been said by Harley Davidson. But I always
4 trusted the ride. And even though they said this
5 was a bike that was meant to go on long rides and
6 be protected, you know, so -- and I changed a lot
7 of those rides. I used to not be a short rider.
8 I mean, I never just wanted it just for a short
9 ride. I wanted to take it for a ride because I
10 was told you wanted to go for a long ride on the
11 highway and go across the country or -- it was
12 beautiful for that, you know.

13 Q. Other than it being heavy and you
14 having the -- dropping it, did you have any
15 problems with how it operated once you were up and
16 running that you can remember?

17 A. The only -- not really. Just
18 sometimes, I think the activity and the way it
19 should be run. I mean, it didn't -- it didn't
20 rotate right, or it just had a weird fit. Just
21 once in a while, it did that. The motor just had
22 a weird feeling. It would never go away. I mean,
23 it was just moving. It was weird.

24 Q. Sometimes when you were driving it, you

1 sensed the engine wasn't running like it should?

2 A. It seemed to be weird things. It could
3 be just from the start or it could be -- it's
4 usually from maybe something like that, yeah.

5 Q. Can you remember anything about your
6 accident?

7 A. I have no memory of the accident, and
8 the hospital will tell you that. Everything I've
9 been asked, everything I've tried to come back on
10 to know where I would have been or what kind of a
11 night it was or what we've talked about, I have no
12 memory of it.

13 Q. Okay.

14 A. I didn't even know that -- after I was
15 told that the state troopers came and when they
16 came, they found me down and bleeding, no one was
17 even there. The person that called it in, that
18 found me, left, you know, just got me checked in
19 and left. Like I said, when I was found, I was
20 laying at that point and bleeding real bad.

21 Q. Can you remember from before the
22 accident any times when you were riding the FLT
23 and it cut out on you?

24 A. No. No, I can't. The only thing I

1 remember is that I came home off of 158, and I
2 would do that at night because I won't travel
3 Election House at night.

4 Q. From your house, if I was standing in
5 the driveway looking out at the road that runs in
6 front of your house --

7 A. Okay.

8 Q. -- 158 would be to the left?

9 A. Yes.

10 Q. Down Ginder Road?

11 A. Yes.

12 Q. And is it your understanding that when
13 you had your wreck, you were coming from 158 on
14 Ginder Road from your house?

15 A. I know that would be the way I took at
16 night. I have my reasons for that.

17 Q. Did you have -- if you wanted to just
18 take a little ride at night, would you have a
19 route that you'd ordinarily go on, sort of around
20 in the area?

21 A. I will never travel at night on
22 Election House because -- and, again, this comes
23 as a conversation you made. It was about deer.
24 Deer are going to cure, if they're going to cure

1 down by the airport. At night, I will not ride
2 that way. Coming down my road the way I did, down
3 158, coming Election House all these years, I've
4 never comes across deer. I've never had a problem
5 with that.

6 Q. Not on Ginder?

7 A. On Ginder.

8 Q. But you've seen them on Election House?

9 A. I've seen them on Election House. So
10 at night, I don't take that move because they've
11 just had where they built the houses and where
12 they're down from the woods or down by the fields
13 by the airport. That's where they would be. And
14 I never made that move.

15 Q. Which airport are you talking about?

16 A. It's the Lancaster airport.

17 Q. How far is that from your house?

18 A. About four or five miles.

19 Q. Does your FLT have a CD player?

20 A. Yes. No, it doesn't have a CD player.
21 Oh, CD player?

22 Q. Yeah, a compact disc player.

23 A. Yeah. It will play a tape.

24 Q. Do you use that, or did you use that?

1 A. I have used it.

2 Q. Often?

3 A. I've used it, and I've used that with
4 the help I've gotten from how I should listen to
5 it. I was taught that by the owner of the Harley
6 Davidson dealer that I've known since I was a
7 little guy.

8 Q. You've known the dealer?

9 A. I've known the dealer. And I asked him
10 what would be the safe way to listen, you know,
11 should I be riding around with earphones in or
12 stuff like that. And he said, no, never do that.
13 If you hear it out -- I mean, he had choices.
14 There's different ways you could do it.

15 Q. Do you have any helmets that have
16 earphones in them?

17 A. No. I've never listened to it up
18 inside the helmet.

19 Q. You do own helmets, though?

20 A. I do own -- I have a full coverage and
21 I have a half.

22 Q. And you had those at the time of --

23 A. And I preferred wearing the full
24 coverage. If I need to wear one to go somewhere,

1 I'll wear them.

2 Q. And you owned the full face and the
3 half helmet prior to your accident?

4 A. Yeah. And I don't prefer -- and I
5 don't ride the half one anymore because it doesn't
6 give me -- like if I want to listen to the music,
7 I still have the air blowing in, and I don't hear
8 the music. And to me, that's an unsafe way of
9 riding, as opposed to having a full coverage that
10 gives you the block, and you still hear a good
11 sound and it doesn't mess you up.

12 Q. Were you wearing a helmet when you had
13 your accident?

14 A. No, I wasn't.

15 Q. Do you know why?

16 A. That's my choice. And Harley Davidson
17 hates that. I've heard a lot of comments made by
18 Harley Davidson about Ohio not wearing the helmet.

19 Q. Does Ohio have a helmet law?

20 A. No, but I've heard coming from Harley
21 Davidson that they wanted Ohio to start wearing
22 helmets. But that's not our problem. We've
23 chosen not to wear them. I wear them when I think
24 I should. If it were raining, I would wear one.

1 You know, it just depends on what I choose to do
2 there. And that's the right I have right now.

3 Q. Okay.

4 A. I mean, when I raced motorcycles, I
5 always wore the perfect racing stuff. My shields,
6 my helmet, my gloves, my boots. I was a heck of a
7 dressed guy to race in the woods a hundred miles a
8 days, you know. And we always did it the right
9 way.

10 Q. Did you, as a matter of course,
11 generally wear a protective clothing other than a
12 helmet when you rode your FLT, like a leather
13 jacket or --

14 A. Yeah. I have leather jackets. I have
15 pants. I have boots. I have all that kind of
16 stuff to wear.

17 Q. Do you know or has anybody told you
18 what you were wearing when you had your accident?

19 A. No. I have no idea.

20 Q. Okay.

21 A. I know my boots because they cut them
22 off of me, and I still have them in my house.

23 Q. But in terms of pants --

24 A. I don't know what I was wearing. They

1 told me. I don't remember that.

2 Q. Okay. From the time that you were
3 riding big Harleys like the FLHs you had or the
4 FLT, do you have a preference about which brake
5 you use more often?

6 A. Which what?

7 Q. Brake. The rear, front, both.

8 A. It depends on what I'm doing and why I
9 need to use them.

10 Q. Some people have a preference, others
11 use them both all the time?

12 A. There are times when I would have to
13 use them both, and there are times when I only use
14 the rear.

15 Q. Tell me about these.

16 A. Well, I mean, if I was having to make a
17 really severe immediate stop, I may use both
18 brakes to pull myself directly down.

19 Q. Okay.

20 A. But there are times when I don't feel
21 that I need to use a front brake, I only need to
22 use a rear brake. And there are other times when
23 I use just a little bit of brake, you know.

24 That's what upset me when you mentioned your

1 feeling on deer. If I see deer, a lot of times it
2 doesn't mean that I'm going to have a 120-foot
3 skid. That's not how I'm going to handle a deer.
4 I've never done it. I've had a lot of years in
5 riding and know that's not how I would deal with
6 it. I wouldn't put myself down on the road to
7 keep from hitting it. I would just watch them.

8 Q. Let me just -- and we'll get to that.
9 When I was asking you about braking, what I
10 understand is that if you felt you had to make a
11 severe or immediate stop, you might use both
12 brakes; but if you didn't have to stop real
13 quickly, you would use the rear brake. Is that
14 fair?

15 A. It depends. I mean, it just depends on
16 the situation. I can't tell you -- if I didn't
17 think it was severe, I wouldn't -- if something
18 not severe, I'm not going to use both brakes.

19 Q. I mean, if you were only going to use
20 one brake, would it be the front or the rear?

21 A. It would probably be the rear if it's
22 something that was happening. If I was having a
23 problem with the way the bike was running, if
24 something weird was happening. I don't know why.

1 If I was trying to kick it started, if I was
2 trying to run the engine, you know, where I was
3 doing the clutch and things, if I was just
4 messing, trying to make it happen. I don't -- and
5 I can't tell you that because I don't know what
6 happened then.

7 Q. Well, I understand, and --

8 A. I just know in life that I would use a
9 -- if I was having problems running, I would try
10 to use my clutch and things like that and try to
11 kick it. I just know these things.

12 Q. The FLT you have doesn't have a kick
13 starter on it, doesn't it?

14 A. No.

15 Q. Has anybody shown you where on Ginder
16 Road you were found?

17 A. Yes.

18 Q. Do you kind of know where that is?

19 A. Yes.

20 Q. Do you know who found you?

21 A. No. Never found out.

22 Q. Were you --

23 A. All I know is when I was found, when
24 the State trooper and the Carroll firemen came,

1 there was nobody there, and I was hurt then.

2 Q. Where you were found was just below the
3 crest of a small hill. Does that sound right?

4 A. There's -- when you're on the top of
5 the hill, you can see all the way to the top of
6 the next hill. You've been there. So you're
7 coming down on the hill and you cross a little
8 bridge, so it's flat, and it starts back up again.

9 Q. Right.

10 A. You know both of the areas. I've
11 always known the areas. I know they're smooth on
12 one side. I know that anything can happen.

13 Q. When you go up that -- you go down a
14 hill and you cross the bridge, and then you go up
15 the other hill. You were found sort of up near
16 the top of the hill that you go up after you cross
17 the bridge?

18 A. I can't tell you for sure. I don't
19 know the answer to that.

20 Q. Has someone showed you where you were
21 found?

22 A. They just told me it happened down
23 there. I've never seen, somebody take me out and
24 show me exactly where you start and where you

1 ended or how you ended it.

2 Q. Well, let's just talk about that part
3 of the road based on your knowing about it for all
4 the years that you've lived there. Okay? Would
5 you agree with me that if you were driving at
6 night, you wouldn't on purpose stop your
7 motorcycle in the dark just below the crest of
8 that hill because you could get hit by an oncoming
9 car that came over the hill?

10 A. I wouldn't have a fear of that.

11 Q. You wouldn't worry about a car coming
12 up over the hill and hitting you?

13 A. No.

14 Q. Why not?

15 A. Because at the time -- first of all,
16 where I was located, I was up high. I would have
17 heard or seen light from a car coming from that
18 direction. You would know somebody is coming and
19 putting the light up in that area. If they were
20 to come down and hit that top area, you have
21 plenty of time to get slowed down and stopped as
22 you're coming down --

23 Q. No. I was -- maybe I wasn't real
24 clear, but let me just ask you to assume or

1 pretend with me that you're driving along at night
2 toward your house on Ginder Road from 158 --

3 A. Right.

4 Q. -- and you come down that hill, and you
5 cross the bridge, and then you start up the hill
6 where your accident happened.

7 A. Uh-huh.

8 Q. If you're going up that hill, would you
9 have -- would you think it would make sense to
10 stop on purpose in the middle or left side of the
11 road just below the crest of the hill in the dark
12 and just sit there?

13 A. If something happened to the bike, and
14 I had to bring it down and get it going up the
15 hill, if that's -- the move I was trying to make,
16 I don't remember. I don't know why I did this.

17 Q. Mr. Bowen, I'm not asking you about the
18 accident. I'm not asking you what happened that
19 night. I'm just asking in general, not about July
20 1stnd of 2004, but just generally speaking, would
21 you think it would be a smart thing to stop under
22 the crest of that hill in the dark or not?

23 A. Down below, yes, if I had to stop and
24 start a stop. I can't confirm the length it's

1 going to take. At the bottom if I needed to stop
2 or if I did it for a reason, it could have
3 stretched out. I have no control of that. I
4 don't know what put me through that. That's in
5 the middle. If I started to put a brake on, and
6 for some reason, I got tricked into -- I had to
7 stay on it or keep on it, because I was thinking
8 of what to do on that, it could have happened to
9 me. I don't know. I have no answer for this.

10 I'm just saying that when you're on top
11 of that hill and you're at the bottom of this
12 hill, you still have enough time to take care of
13 -- let's say a car came over the hill or you saw
14 the deer -- any time I've seen deer, I never skid.
15 I slow down and make a stop. Deer don't move like
16 that, you know.

17 Q. Okay. What is the speed limit on
18 Ginder Road?

19 A. I can't remember what it is. That's a
20 fuzzy one.

21 Q. Well, ordinarily, if you were riding
22 and there wasn't traffic, what's the speed that
23 you would ordinarily drive --

24 A. Probably 45 or so, I like to. I don't

1 fly up and down our roads.

2 Q. There are houses sort of -- well, not
3 real close together, but there's houses on both
4 sides, aren't there?

5 A. Yes.

6 Q. Do you have stock pipes on the FLT?

7 A. I have screaming eagles. Those are
8 Harley pipes.

9 Q. Right. So they're a little louder than
10 stocks, but not real, real loud?

11 A. No. They're fine.

12 Q. How far is it from your house to
13 Lancaster?

14 MR. ALTON: To downtown Lancaster?

15 MR. KIRCHER: Just to the outskirts of
16 Lancaster. Lancaster is a big area.

17 MR. ALTON: Right. It's pretty big.

18 Q. But if you wanted to just go from your
19 house to like the outskirts of Lancaster, how far
20 would that be?

21 A. Five.

22 Q. If you were riding on Ginder Road down
23 that hill across the bridge and up back to your
24 house at like 45 miles an hour on your road glide,

1 your FLT, what gear would you be in generally?

2 A. You could be in different gears. I
3 mean, I would like to think that I was -- I don't
4 know. I mean, I would like to think that I was
5 doing a normal gear.

6 Q. Well, I mean, what would a normal -- I
7 mean, you can -- I can tell you from my riding
8 experience, if I want to be real noisy, I can ride
9 in a real low gear and high RPM, or if I wanted to
10 be real quiet, I could --

11 A. I mean, I'm saying I was probably in
12 fourth gear, which would be normal.

13 Q. Right. Because that's not too noisy?

14 A. No. And I don't do that when it's late
15 at night or dark. And the other thing I'm
16 thinking about this whole night, believe it or
17 not, things have to be made to understand is I
18 bought this Harley July 2, 2003. Right after
19 midnight, July 2nd, 2004, I went down. The thing
20 to remember, which is wild, is when I bought my
21 bike back in 2003, I put a ghost PT tag on my PT
22 Cruiser. You know, these things all went
23 together. So riding at night, I'm not thinking
24 about going out and being a stupid rider. You

1 know, I ride it at a good speed, I'm watching, and
2 being careful.

3 Q. The -- on your FLT, did you do any like
4 stage one or stage two kit --

5 A. No. That's stock.

6 Q. So that's the same stock air cleaner?

7 A. Yes. All I did was put hundredth
8 anniversary pins on it to make it look nice.

9 Q. But in terms of picking up the
10 performance of the engine, you haven't done
11 anything to that?

12 A. I haven't done anything to it. That's
13 stock.

14 MR. KIRCHER: Okay. I need to take a
15 bathroom break.

16 (A short recess is taken.)

17 Q. Riding on Ginder Road from 158 to your
18 house, how far is that from 158 to your home?

19 A. Four miles. I don't know.

20 Q. Some small number of miles?

21 A. (Indicates affirmatively.)

22 Q. If you were riding from 158 to your
23 house on your FLT in fourth gear, would you need
24 to -- as you go down the hill and across the

1 bridge and up the other side, would you need to
2 down shift to make it up the hill?

3 A. Probably not. I don't -- I don't know.
4 I can't remember that. I don't know where I was
5 on -- ^{reason}

6 Q. And, again, I'm not -- it's kind of
7 hard to separate this out because I know you don't
8 have a recollection of that night because of the
9 injury you suffered. So I'm more asking about
10 based on the experiences you had riding that bike
11 before you got hurt, as opposed to what
12 happened --

13 A. That's the problem because I don't have
14 a lot of memory of what I used to do. I've ridden
15 a lot, and I've ridden a lot of places. You know,
16 when you've had the experience of riding a Harley
17 from San Diego to the bottom of Baja, Mexico and
18 doing a lot of riding, you're a guy who's been a
19 lot of places.

20 Q. In your experience -- like the Harley
21 big twins have a lot of torque. They may not rev
22 real high, but you can pull tree stumps up with
23 them, right?

24 A. I suppose.

1 Q. Have you given any thought as to
2 whether you're going to take up riding again?

3 A. I don't think I'm going to. I've done
4 it for 35 years. And I was really heavy on Harley
5 Davidsons for a lot of years, and I loved Harley
6 Davidson.

7 Q. Have you or your father tried to find
8 out who it was that found you?

9 A. We haven't done that. I don't know who
10 it was.

11 MR. KIRCHER: Off the record.

12 (A discussion is held off the record.)

13 Q. I understand that since your accident,
14 you haven't been able to go back to work at
15 Columbia Gas?

16 A. No, because I had a big job there. My
17 hospital -- my doctor says I'm not going to be
18 able to handle that type of job anymore.

19 Q. Have you met with anybody to talk about
20 what kind of job you might be able to handle at
21 this point?

22 A. Nobody yet. I'm disabled and on Social
23 Security at this point. Because I had a job that
24 I made a lot of money, and I'm not up there

1 anymore. I don't know if I'm going to be able to
2 get there anymore.

3 Q. If you could go back to some kind of
4 job, maybe not the one you had, would you like to
5 at some point?

6 A. I don't know. I don't know what it's
7 going to do to me, what kind of mood -- I don't
8 know where it would be, and I just don't enough
9 about it.

10 Q. Is that something you're going to
11 consider?

12 A. I can retire if I want.

13 Q. From Columbia Gas?

14 A. Yes.

15 Q. And get like a pension or something?

16 A. Yeah. I can do that at any time now
17 until I'm old. It just depends on what I want to
18 do.

19 Q. Do you have anybody that comes in and
20 helps you now during the day or around the house
21 to take care of things, take care of yourself?

22 A. My son is there if I need any help.

23 Q. Okay. Otherwise you don't need to have
24 a nurse or anything come in and help --

1 A. No, I don't ask for that help.

2 Q. Do you take care of the house, cut the
3 grass yourself?

4 A. I do.

5 Q. Okay.

6 A. I've just -- because it's things that
7 I've worked on to see what I have the knowledge of
8 or the strength in my body.

9 Q. What sort of things have you been able
10 to get back to doing?

11 A. It's physical work, cutting your trees,
12 and mowing your grass, and shutting your pool, not
13 knowing what parts you need, but when you look at
14 them, you know which ones to use. I just don't
15 remember what the names -- I have real bad memory
16 of things.

17 Q. But you've gotten back to doing some
18 work around the house, physical?

19 A. Yeah, because I'm doing Trevor's -- I
20 made his bedroom upstairs and two rooms
21 downstairs, and I just did things to get me more
22 active and give my strength back again.

23 Q. Does Trevor live at college, or does he
24 live with you?

1 A. No. He lives with me. I want to make
2 that good for him so he doesn't have to pay rent
3 and live like that.

4 Q. Okay.

5 MR. KIRCHER: John, is the Bureau of
6 Vocational Rehabilitation going to set something
7 up with Jeff; do you know?

8 MR. ALTON: I don't know.

9 MR. KIRCHER: It was mentioned in the
10 doctor's -- Dr. Cook's --

11 MR. ALTON: Was it mentioned in there?

12 MR. KIRCHER: Yeah.

13 MR. ALTON: I don't know. I haven't
14 had any contact with them, so I'll have to check
15 that out.

16 MR. KIRCHER: Okay. Because I'm
17 thinking that maybe something that down the road
18 if he sees them and they, you know, offer some
19 alternatives, we might want to reinquire, but,
20 obviously, it's a down-the-road kind of thing.

21 MR. ALTON: Yeah. I mean, if you need
22 to reinquire about anything, that's fine with me.
23 I sent him to a vocational rehab guy to be
24 evaluated, but I don't have a report from him yet.

1 But he was waiting on the neuropsychological
2 testing from Dr. Cook, and as you know, we just
3 received that in the last seven days. So I sent a
4 copy of it on to Dr. Lou and asked him to evaluate
5 it, but he hasn't gotten back to me.

6 MR. KIRCHER: Okay.

7 MR. ALTON: He's not affiliated -- he's
8 a private vocational rehab guy. He's not
9 affiliated with BVR.

10 MR. KIRCHER: Okay.

11 MR. ALTON: I use him to evaluate
12 whether any of my clients have the ability to
13 return to work and, if so, in what capacity.

14 Q. All right. Well, I think for now,
15 that's all the questions I have for you, Jeff. I
16 may have some for your dad.

17 A. Okay.

18 Q. But for right now, that's all the
19 questions I can think of.

20 Do you have any, John?

21 MR. ALTON: No.

22 Q. Thank you for being so patient.

23 MR. KIRCHER: And do you have read and
24 sign here?

1 MR. ALTON: Well, you're the federal
2 court guy. I'm not. But we have read and sign
3 here, as far as -- and I don't know what the
4 Federal court rules say --

5 MR. KIRCHER: It's the same --

6 MR. ALTON: Well, we definitely have
7 read and sign. And what the usual deal is, under
8 the rule, you only have seven days to read and
9 sign. But what we usually do is stipulate to 28
10 or 30 days to read and sign.

11 MR. KIRCHER: Why don't we stipulate to
12 30 days after you receive the transcript to read
13 and sign.

14 MR. ALTON: All right. That's fine.
15 And he'll read.

16 - - - - -

17 Thereupon, the foregoing proceedings
18 concluded at 10:11 a.m.

19 - - - - -

20

21

22

23

24

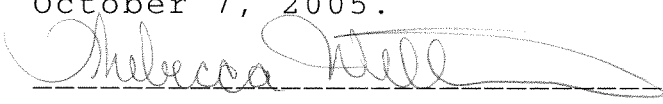
1 State of Ohio : C E R T I F I C A T E

2 County of Franklin: SS

3 I, Rebecca Williams, a Notary Public in and for
4 the State of Ohio, do hereby certify the within
5 named JEFFREY BOWEN was by me first duly sworn to
6 testify to the whole truth in the cause aforesaid;
7 testimony then given was by me reduced to stenotypy
8 in the presence of said witness, afterwards
9 transcribed by me; the foregoing is a true record
10 of the testimony so given; and this deposition was
11 taken at the time and place as specified on the
12 title page.

13 I do further certify I am not a relative,
14 employee or attorney of any of the parties hereto,
15 and further I am not a relative or employee of any
16 attorney or counsel employed by the parties hereto,
17 or financially interested in the action.

18 IN WITNESS WHEREOF, I have hereunto set my hand
19 and affixed my seal of office at Columbus, Ohio, on
20 October 7, 2005.

21 

22 Rebecca Williams, Notary Public - State of Ohio

23 My commission expires April 5, 2006.

24

Correction or Change Reason Code

1 - Misspelling 2 - Word Omitted
3 - Wrong Word 4 - Clarification
5 - Other Correction (Please explain)

Sheet _____ of _____

Date _____ Signature _____

Jeffrey Bowen

October 3, 2005

61

Witness Errata and Signature Sheet
Spectrum Reporting LLC Correction or Change Reason

Code 333 East Stewart Avenue 1 - Misspelling 2 - Word
Omitted Columbus, Ohio 43206 3 - Wrong Word 4 -
Clarification Phone - 614-444-1000 Fax - 614-444-3340 5 - Other Correction (Please
explain) Email - admin@spectrumreporting.com R Sheet ____ of

Page/Line	Correction, Addition, or Change	Reason Code
12/17	CHANGE 1984 → 1982	
18/3	ADD 1970 BMW R75	
	2 SIDECAR	
	ADD 1975 BMW R75	
	ADD 8002 H-D	
	SPOSTER 883 R	
24/8	I CAN'T TELL YOU	
	WHAT YEAR I WAS	
	MARRIED UNTILL	
	FALL OF 2004	
53/3	I DON'T KNOW, I	H 4
	CAN'T REMEMBER	
	THAT REASON.	

I, JEFFREY BOWEN, have read the entire transcript of my deposition taken in this matter, or the same has been read to me. I request that the changes noted on my errata sheet(s) be entered into the record for the reasons indicated.

Date 10.22.05 Signature *Jeffrey A Bowen*

The witness has failed to sign his deposition within the time allowed.
Date _____ Signature _____